

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

GEORGE E. CLARITT,)	
)	
Petitioner,)	
)	
v.)	Case No. 1:24-cv-86
)	
MELISSA HAINSWORTH,)	
Superintendent at SCI Laurel Highlands,)	
)	
Respondent.)	

MEMORANDUM ORDER

On March 22, 2024, Petitioner George E. Claritt commenced this civil action in which he seeks a writ of habeas corpus pursuant to 28 U.S.C. §2254. ECF Nos. 1, 6. In his petition, Claritt challenges his 2012 judgment of sentence, which was imposed following his conviction on charges of rape and related offenses. The case has been referred to United States Magistrate Judge Kezia O.L. Taylor for a report and recommendation (“R&R”) in accordance with the Magistrate Judges Act, 28 U.S.C. §636(b)(1), and Local Civil Rule 72.

Pending before the Court is a motion by the Respondent to dismiss the instant petition for lack of jurisdiction. ECF No. 21. On March 17, 2025, Judge Taylor issued an R&R in which she recommended granting the Respondent’s motion, because the instant petition appears to be a second or successive petition which this Court may not adjudicate, absent prior authorization from the United States Court of Appeals for the Third Circuit. ECF No. 22. As Judge Taylor noted in her R&R, it appears that Petitioner has neither sought nor obtained the requisite authorization to file the instant petition. Judge Taylor also recommends that a certificate of appealability be denied.

Objections to the Report and Recommendation were due to be filed no later than April 3, 2025. To date, no objections have been received.

After *de novo* review of the petition and documents in the case, including the Respondent's motion and the Magistrate Judge's Report and Recommendation, the following order is entered:

AND NOW, this 15th day of April, 2025, IT IS ORDERED that the Respondent's motion to dismiss, ECF No. [21], is hereby GRANTED, and the within petition for a writ of habeas corpus shall be, and hereby is, DISMISSED for lack of jurisdiction.

IT IS FURTHER ORDERED that the Report and Recommendation of Magistrate Judge Taylor, issued on March 17, 2025, ECF No. [22], is adopted as the opinion of this Court.

Because jurists of reason would not find it debatable that this Court lacks jurisdiction to consider the instant petition for a writ of habeas corpus, IT IS FURTHER ORDERED that no certificate of appealability shall issue.

As there are no further matters pending before the Court relative to the instant petition, the Clerk is directed to mark this case "CLOSED."

A handwritten signature in black ink, reading "Susan Paradise Baxter". The signature is fluid and cursive, with the first name "Susan" being the most prominent.

SUSAN PARADISE BAXTER
United States District Judge